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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/583,044

06/15/2006

Osamu Funahashi

MAT-8859US

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RATNERPRESTIA

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EXAMINER

ROBINSON, RYAN C

ART UNIT

PAPER NUMBER

2614

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/583,044	<b>Applicant(s)</b> FUNAHASHI ET AL.	
	<b>Examiner</b> Ryan Robinson	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/15/2006</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the limitation of the inner circumferential portion of the suspension holder “coupled via only an adhesive to the voice coil body” in lines 25-26 of claim 1, when the claim previously recites that the said portion is disposed on a top portion of the supporting section, which would imply that the said portion is coupled to the voice coil body through the supporting section as well.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Proni, U.S. Patent No. 6,088,466, published on 7/11/2000, (hereby Proni).**

5. As to claim 1, Proni discloses a loudspeaker (Fig. 2b) comprising a frame (20), a magnetic circuit (36b) held by the frame, a voice coil body (43) disposed so as it can move freely in a magnetic gap (45) of the magnetic circuit, a diaphragm (24) whose outer circumferential end is connected to the frame (20) via a first edge, and a suspension holder (38) whose outer circumferential end is connected to the frame (20) via a second edge; and a supporting section (53) attached to the voice coil body (43), wherein: a diameter of an inner circumference of the suspension holder (38) is greater than an outer diameter of the voice coil body (43) while a diameter of an inner circumference of the diaphragm (24) is greater than the diameter of the inner circumference of the suspension holder (38), the suspension holder (38) has an inner circumferential portion which is apart from the voice coil body (43), the inner circumferential portion is disposed on a top surface of the supporting section (53) and the inner circumferential portion is coupled via only an adhesive to the voice coil body (Col. 10, lines 28-32), and the diaphragm (24) is disposed on and in contact with the suspension holder (38) at an inner circumferential end of the suspension holder (38) such that the diaphragm (24) is supported by the suspension holder (38).

6. As to claim 2, Proni discloses a loudspeaker (Fig. 2b) comprising a frame (20), a magnetic circuit (36b) held by the frame, a voice coil body (43) disposed so as it can move freely in a magnetic gap (45) of the magnetic circuit, a diaphragm (24) whose outer circumferential end is connected to the frame (20) via a first edge, and a

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suspension holder (38) whose outer circumferential end is connected to the frame (20) via a second edge; and a cylindrical supporting section (53) attached to the voice coil body (43), wherein: a diameter of an inner circumference of the suspension holder (38) is greater than an outer diameter of the voice coil body (43) while a diameter of an inner circumference of the diaphragm (24) is greater than the diameter of the inner circumference of the suspension holder (38), the suspension holder (38) has an inner circumferential portion which is apart from the voice coil body (43), the inner circumferential portion is disposed on a top surface of the supporting section (53) and the inner circumferential portion is coupled via an adhesive to the voice coil body (Col. 10, lines 28-32), and the diaphragm (24) is disposed on and in contact with the suspension holder (38) at an inner circumferential end of the suspension holder (38) such that the diaphragm (24) is supported by the suspension holder (38).

7. As to claim 3, Proni discloses a loudspeaker (Fig. 2b) comprising a frame (20), a magnetic circuit (36b) held by the frame, a voice coil body (43) disposed so as it can move freely in a magnetic gap (45) of the magnetic circuit, a diaphragm (24) whose outer circumferential end is connected to the frame (20) via a first edge, and a suspension holder (38) whose outer circumferential end is connected to the frame (20) via a second edge; and a supporting section (53) attached to the voice coil body (43), wherein: a diameter of an inner circumference of the suspension holder (38) is greater than an outer diameter of the voice coil body (43) while a diameter of an inner circumference of the diaphragm (24) is greater than the diameter of the inner

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circumference of the suspension holder (38), the suspension holder (38) has an inner circumferential portion which is apart from the voice coil body (43), the inner circumferential portion is disposed on a top surface of the supporting section (53) and the inner circumferential portion is coupled via an adhesive to the voice coil body (Col. 10, lines 28-32), the inner circumferential portion extending upwardly from the top surface of the supporting section (53), and the diaphragm (24) is disposed on and in contact with the suspension holder (38) at an inner circumferential end of the suspension holder (38) such that the diaphragm (24) is supported by the suspension holder (38).

### ***Conclusion***

The prior art made of record

- a. US Patent Number **6,088,466**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan C. Robinson whose telephone number is (571) 270-3956. The examiner can normally be reached on Monday through Friday from 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/R. R./

Examiner, Art Unit 2614

/CURTIS KUNTZ/

Supervisory Patent Examiner, Art Unit 2614